UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/467
25 June 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON HIS MISSION OF GOOD OFFICES IN CYPRUS

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1032 (1995) of 19 December 1995. In paragraph 11 of that resolution, the Security Council requested me to submit a report during the current mandate period of the United Nations Peace-keeping Force in Cyprus (UNFICYP) on my mission of good offices, including a full assessment of my efforts towards reaching a settlement of the situation in Cyprus.

II. MISSION OF GOOD OFFICES

2. In my last report on my mission of good offices, dated 29 October 1994 (S/1994/1229), I informed the Council, inter alia, that the leaders of the Greek Cypriot and Turkish Cypriot communities had accepted my proposal that they meet in informal direct talks, together with my Deputy Special Representative, Mr. Gustave Feissel, with a view to exploring in a concrete manner ways in which progress might be made both in respect of the implementation of the confidence-building measures and in respect of the overall settlement of the Cyprus problem. I informed the Council that four such meetings had taken place and that I would keep the Council apprised of developments in the light of the continuing consultations. In a letter dated 4 November 1994 (S/1994/1256), the President of the Council advised me that the members of the Council had taken note of the aforementioned report and looked forward to receiving a definitive report at the appropriate time.

3. On 9 December 1994, I told the members of the Security Council that the two leaders had met five times with my Deputy Special Representative at his residence in the United Nations Protected Area (UNPA) in Nicosia for a combined duration of over 10 hours.

4. These meetings offered a good opportunity for the two leaders to explain their positions. The Turkish Cypriot leader urged that the first priority of the talks should be to reach an agreement on the modalities for implementing the package of confidence-building measures relating principally to the fenced area

of Varosha and Nicosia International Airport. The Greek Cypriot leader emphasized the importance, in the first instance, of confirming that when the two leaders each professed commitment to a bicommunal and bizonal federal solution they were indeed in agreement on the fundamental principles. He emphasized that such a solution required acceptance of the basic principles that had been endorsed by the Security Council, most recently in paragraph 2 of resolution 939 (1994) of 29 July 1994, as well as acceptance of the definition of political equality endorsed by the Council in its resolution 750 (1992) of 10 April 1992. The Turkish Cypriot leader reaffirmed his commitment to a federal solution. However, on some aspects, notably sovereignty and political equality, his position remained at variance with Security Council resolutions.

5. During these meetings useful discussions took place on a number of other issues relevant to an overall agreement, notably security and guarantees; membership of the European Union; territory, displaced persons and property claims; the powers and functions of the federal Government; difficulties faced by the Turkish Cypriot community as a result of the Cyprus problem; and implementation of the confidence-building measures.

6. These informal discussions turned out to be inconclusive. But they ensured that each leader was well aware of the position of the other on all the main issues and they seemed to me to have opened up some encouraging prospects. I followed these up in meetings with the Greek Cypriot and Turkish Cypriot leaders on 24 November and 2 December 1994, respectively. I commended the Greek Cypriot leader for his willingness to explore possible mutual compromises (or "trade-offs") that would enable the two leaders to respond to each other's concerns across the board. I urged the Turkish Cypriot leader to respond in a commensurate manner. I underlined to both leaders the promising possibilities offered by the trade-off approach as a means of negotiating an overall settlement, stressing that this opportunity should not be lost.

7. I regret that this effort on my part did not achieve concrete results, although I continued to believe that the informal talks of October 1994 had created unprecedented opportunities for making progress towards a comprehensive negotiated settlement. My subsequent efforts have been devoted to finding a basis for the resumption of direct talks between the two leaders. I asked my Special Representative, Mr. Joe Clark, to visit the area for discussions with both leaders and with senior officials of Turkey and Greece and my Deputy Special Representative to continue his shuttle contacts with the two leaders. Mr. Clark visited Nicosia, Ankara and Athens in March and May 1995. In a briefing on 5 June 1995, Mr. Clark informed the members of the Security Council of his two visits to the area and his efforts to bring about face-to-face talks on an overall settlement, on the basis that both leaders would be willing to engage in discussion of possible trade-offs. He had not found it possible to define such a basis for the resumption of direct talks. He did not see prospects for movement in the near future, but the efforts of the United Nations would continue. Since then, numerous attempts by myself and interested Governments, both on and off the island, have not succeeded in breaking the impasse.

8. Most recently, I met personally with the Turkish Cypriot leader at Istanbul on 6 June 1996 and with the Greek Cypriot leader at Geneva on 11 June 1996.

These meetings provided an opportunity to review the key aspects of the Cyprus problem. I expressed my concern that my mission of good offices had remained at a standstill fo ong time and I pressed them to consider the negative consequences of this deadlock for both communities.

9. The leader of the Greek Cypriot community confirmed his commitment to a negotiated settlement arrived at through direct talks between the two leaders. However, he emphasized that in order to avoid yet another unproductive meeting, it would be necessary to ensure, through proximity talks, that sufficient common ground existed between the two sides before direct talks began. In this connection, he identified five key areas: security, membership in the European Union, territory, sovereignty and political equality. He underlined in particular that both communities felt insecure and that therefore an arrangement had to be devised that addressed with equal effectiveness the security concerns of both. The 1960 Treaty of Guarantee did not meet that objective and his community could not accept that Turkey had the right of unilateral intervention. He recalled his proposal for the demilitarization of Cyprus (see S/1994/680, paras. 25-27), coupled with an international force, which could include Greek and Turkish troops, on the basis of a revised United Nations mandate providing for the right of direct intervention to guarantee the overall agreed settlement as well as the security of each community.

10. The leader of the Turkish Cypriot community reaffirmed his readiness to meet with the Greek Cypriot leader in direct talks within the parameters of: (a) an equal partnership that would treat the Greek Cypriot and Turkish Cypriot communities as equal in all aspects, including in decision-making in the federal Government; and (b) the 1960 Treaty of Guarantee. He suggested that the Set of Ideas serve as the source of reference for direct talks. He voiced his opposition to any change in the 1960 Treaty, including Turkey's right of unilateral intervention, and to Cyprus joining the European Union before Turkey, which he believed would negate the bizonal and bicommunal foundation for a settlement in Cyprus as well as the Treaty of Guarantee.

11. I emphasized yet again the importance of creating as soon as possible a basis for the resumption of direct talks between the two leaders. This should consist of mutual acknowledgement of the concerns of each side and mutual expression of a willingness to compromise. To this end, I called upon both to cooperate with the efforts of my new Special Representative, Mr. Han Sung-Joo, and his Deputy, Mr. Gustave Feissel. I informed both leaders that Mr. Han would visit Cyprus during the last week of June and would then proceed to Athens and Ankara.

III. OTHER DEVELOPMENTS

12. During the period covered by the present report, several developments occurred that could affect the prospects for achieving an overall settlement of the Cyprus problem.

13. On 6 March 1995, the Council of Ministers of the European Union decided that the negotiations for the accession of Cyprus to the Union would begin six months after the conclusion of its Inter-Governmental Conference. While there

is no definite date yet, it is estimated that the negotiations of the European Union with Cyprus are likely to begin in late 1997 or early 1998. At the same time, the Council of Ministers expressed its regret at the lack of progress in the talks under my auspices on a comprehensive settlement and called upon both parties to step up their efforts to achieve that goal in accordance with Security Council resolutions and the concept of a bicommunal and bizonal federation. The Council of Ministers further considered that membership of the European Union should bring increased security and prosperity to both the Greek Cypriot and the Turkish Cypriot communities and called on the European Commission to organize contacts with the Turkish Cypriot community in order to explain the benefits of European Union accession and to allay that community's concerns.

14. During the period under review, interest in the Cyprus question has grown, in particular among the permanent members of the Security Council and members of the European Union and its Commission. This has been reflected, inter alia, in missions to Cyprus, Greece and Turkey by senior government officials and special representatives appointed by the Governments of Italy, in its capacity as President of the European Union, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. From 21 to 23 May 1995, the United States, in cooperation with the United Kingdom, convened a meeting in London with representatives of the leaders of the two communities. Its objective, like that of the United Nations, was to find a basis for the resumption of direct talks. However, no progress was achieved. In addition, senior officials of France, Germany, Ireland, Spain and the European Commission also undertook fact-finding visits to Cyprus.

15. On 17 April 1996, representatives of the five permanent members of the Security Council met at United Nations Headquarters with senior members of the Secretariat. Those present exchanged views on the situation in Cyprus and reaffirmed that the status quo was unacceptable. They underlined the importance of a comprehensive approach to an overall settlement of the Cyprus problem on the basis of the relevant Security Council resolutions, the 1977 and 1979 high-level agreements and the Secretary-General's good offices mission.

IV. OBSERVATIONS

16. The negotiations on Cyprus have been at an impasse for too long. My report of 19 November 1992 (S/24830) described the deadlock reached in my efforts to base an overall agreement on the Set of Ideas and the map endorsed by the Security Council in its resolution 774 (1992) of 26 August 1992. Efforts during the following year and a half to reach agreement on the package of confidence-building measures related in particular to the fenced area of Varosha and Nicosia International Airport were also blocked.

17. Thirty-two years after the first involvement of the United Nations in the Cyprus conflict and 22 years after the events of 1974, the international community can reasonably demand evidence that both parties, and others concerned, are serious in their pursuit of an overall settlement on the basis the two parties agreed almost 20 years ago. The Security Council has repeatedly stated that the existing status quo is unacceptable. No one can objectively

believe that it provides a viable basis for preserving the character and security of the two communities.

18. This absence of progress is especially disappointing when, as I have repeatedly pointed out, the elements required to construct an overall settlement have been identified. I refer to the 1977 and 1979 high-level agreements, to the resolutions of the Security Council, to the various ideas that have been elaborated over the years through the United Nations good offices and to the concept of mutual concessions, or "trade-offs", that emerged during the direct talks between the two leaders in October 1994 as the most promising methodology for working out an overall agreement.

19. In addition, the decision of the European Union to begin accession negotiations with Cyprus in 1997 or 1998 is an important new development that should facilitate an overall settlement. As the Council of Ministers of the European Union has pointed out, accession promises enhanced security and prosperity for Greek Cypriots and Turkish Cypriots alike. The European Commission's efforts to explain to the Turkish Cypriot community the benefits of membership in the European Union and to allay its concerns are important in this regard. The imminence of the accession negotiations should also instil a new sense of urgency to the search for an overall agreement.

20. What is now required is a concerted effort by the international community to build on these developments and to give a new impetus to the negotiating process.

21. Greece and Turkey have a special responsibility. It is crucial that they should not only lend their active support to the search for a settlement but should also ensure that their own relations do not develop in a way that endangers that search.

22. A number of other Member States, including the five permanent members of the Security Council and the members of the European Union, have recently provided gratifying evidence of their readiness to add their weight to a coordinated effort to support my mission of good offices in a common endeavour to help the two communities in Cyprus secure peace and prosperity in their island.

23. But the main responsibility will continue to rest with the Greek-Cypriot and Turkish-Cypriot communities. A lasting settlement will not be achieved unless the two leaders can persuade their communities that their interests will be better served by flexibility and compromise than by continuing confrontation. I conclude this report by calling upon the two leaders to work with me, and with the many countries that support my mission of good offices, to break the present impasse and establish common ground on which direct negotiations can be resumed.